

CAO/Mayor: _____ / _____ / 5/22/08
(Type your name & phone #) (Initials) (Date)

Summary Sheet

I. Description of Item:

Resolution amending the Policies and Procedures of the Shelby County Homestead Program Pursuant to Chapter 281 of the Public Act of 1985 and as Authorized by the Shelby County Mayor and Shelby County Board of Commissioners by Resolution October 7, 1985. Major changes included in the Resolution include:

1. An increase in the Homestead Application fee to \$100.00.
2. Establishment of a set method for identifying and listing properties available for development under the Homestead Program.
3. Inclusion of a Shelby County Gratuuity Disclosure Form and a Land Sales Disclosure Form as part of the official Homestead Application.
4. Creation of a Design Review Committee composed of the Director of Planning and Development (or his/her designee), the Director of Memphis Housing and Community Development (or his/her designee), an appointee of the local MEM AIA, an appointee from the local Memphis Area Association of Realtors (MAAR), an appointee of the local Memphis Homebuilders Association, a member of the non-profit community selected from members of the Memphis Community Development Council, and member of the Shelby County Commission to be appointed by the Chairperson of the Core Cities, Neighborhoods and Housing Committee.
5. A requirement to hold public hearings on homestead properties prior to the official transfer of the property via Resolution.
6. Creation of an "Option to Purchase" that shall not exceed 18 months.
7. Establishment of the predetermined escrow price for Homestead Property at \$2,025.00 per lot.
8. Creation of a Reservation process for non-profit entities utilizing the Homestead Program that shall not exceed 18 months.
9. Updating the Building Code on units developed under the Homestead Program to comply 2003 Edition of the ICC Building Code
10. A requirement that rental units under the Homestead Program comply with Federal Fair Market Rents and that the sales price single family units not exceed the fair market rate as established by appraisal.

II. Source and Amount of Funding

No County Funds required

III. Contract Items

N/A

IV. Additional Relevant Information

Attachment "A" – Homestead Program Implementation Plan

ITEM # _____

PREPARED BY: Ruby L. Hill

APPROVED BY: *B*

**RESOLUTION AMENDING THE POLICIES AND PROCEDURES OF THE
SHELBY COUNTY HOMESTEAD PROGRAM PURSUANT TO CHAPTER 281
OF THE PUBLIC ACTS OF 1985 AND AS AUTHORIZED BY THE SHELBY
COUNTY MAYOR AND THE SHELBY COUNTY BOARD OF
COMMISSIONERS BY RESOLUTION ON OCTOBER 7, 1985.**

RESOLUTION SPONSORED BY HENRI BROOKS.

WHEREAS, The "Tennessee Homestead Act" was approved by the General Assembly on April 25, 1985 and signed by the Governor of Tennessee on April 30, 1985, and was officially designated as Chapter 281 of the Public Acts of 1985; and

WHEREAS, Section 5 of Chapter 281 of the Public Acts of 1985 required the adoption of an implementation plan by the local governing body in order to effectively implement the "Tennessee Homestead Act" by local governing bodies; and

WHEREAS, On October 7, 1985 the Shelby County Mayor and the Shelby County Board of Commissioners did adopt an implementation plan via Resolution that complied with Section 5 of Chapter 281 of the Public Acts of 1985; and

WHEREAS, The October 7, 1985 Resolution set forth the implementation plan for the Shelby County Homestead Program in compliance with State of Tennessee.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That upon review of the original implementation plan that authorized the Shelby County Homestead Program in 1985; the following changes in the "Homestead Program Package" incorporated herein by reference as Attachment A, are hereby approved and adopted.

BE IT FURTHER RESOLVED, That the Shelby County Mayor is authorized to take any and all actions necessary to implement the Shelby County Homestead Program under the revised terms and conditions of the implementation plan as established by the attached Homestead Program Package attached herein as Attachment A.

A C Wharton, Jr., County Mayor

Date: _____

ATTEST:

Clerk of County Commission

ADOPTED: _____

Attachment A

Homestead Program Implementation Plan Outline

Definitions

- 1) Administering Agency
- 2) Method of Selecting Properties
 - A. Existing Tax Sale Properties/ Real Estate Dept. or Land Bank Inventory
 - B. Newly Acquired Tax Sale Property
- 3) Criteria for Selecting Homesteaders for Multi-Family Housing Development
- 4) Criteria for Selecting Homesteaders for Single-family Housing Development
- 5) Criteria for Allowing an Option To Purchase
- 6) Conveyance of Property
 - A. Transfer to For-Profit Entities and Individuals
 - B. Transfer to Non-Profit Entities
- 7) Building Standards
- 8) Coordination Efforts
- 9) Technical and Financial Assistance
- 10) Methods to Acquire and Dispose of Property
- 11) Other Considerations Deemed to Be in the Public Interest
 - A. Emergency Situations
 - B. Property Leasing
 - C. Rents and Sales Prices
 - D. Change in Policies and Program Rules

Homestead Definitions

For purposes of this Implementation Plan:

(1) (A) "Eligible Property" means any property owned by Shelby County Government that has been acquired through tax-foreclosure, private donation, public purchase, and/or any other means of acquisition that is held by either Shelby County's Department of Housing or Land Bank Department that is available for transfer to a public, private, or non-profit agency for the construction of either Multi-Family or Single-Family Housing.

(B) "Eligible Property" includes those properties held by the Shelby County Department of Housing and/or the Shelby County Land Bank Department that are zoned for Multi-Family or Single-Family development and meet local code requirements for the necessary size and setback to allow for the construction of a housing structure on the property.

(2) "Tax Sale Property" means any property that has been taken by the Shelby County Trustee through the local foreclosure process and is now held in the inventory of the Shelby County Government and is eligible for sale to the public, transfer for use under the Shelby County Homestead Program, or is being held by the Shelby County Land Bank under an option to purchase on the behalf of a duly designated 501(c)3 non-profit organization, Community Development Corporation, Community Housing Development Organization (CHDO), or for-profit developer.

(3) "Private Donation" means any property given to Shelby County Government and duly accepted by Shelby County as a gift from the donor that is intended for public or private use in providing owner-occupied or rental housing to individuals seeking to live in Shelby County, Tennessee.

(4) "Public Purchase" means any property zoned for residential Multi-Family or Single-Family Development that has been purchased by Shelby County Government and is being made available through the Homestead Program for the development of Housing in Shelby County, Tennessee that is of public benefit and returns the property to the Shelby County Tax Rolls.

(5) "Single-Family" means any housing development that ranges in size from one-to-four units on a single lot whether the unit is a single attached unit or four separate detached units on the eligible property.

(6) "Multi-Family" means any attached housing development that exceeds four units and is designed for rental or lease to the occupants by the developer.

(7) "Non-Profit" means any organization that submits an application under the Shelby County Homestead Program and has officially received a 501(c)3 designation under the State of Tennessee and/or qualifies as a Community Development Corporation or Community Housing Development Organization under State and/or Federal regulations.

(8) "For-Profit" means any developer or organization that submits an application under the Shelby County Homestead Program that does not qualify as a Non-Profit.

(9) "Design Review Committee" means a an Architectural Review Committee composed of the Director of Planning and Development (or his/her designee), the Director of Memphis Housing and Community Development (or his/her designee), an appointee of the local MEM AIA, an appointee from the local Memphis Area Association of Realtors (MAAR), an appointee of the local Memphis Homebuilders Association, a member of the non-profit community selected from members of the Memphis Community Development Council, and member of the Shelby County Commission to be appointed by the Chairperson of the Core Cities, Neighborhoods and Housing Committee.

(10) "Predetermined Price" means the value of the Homestead Property as mutually agreed to by the Department of Housing and the Shelby County Land Bank Department that shall be paid

96 by the applicant and placed in an escrow account until all conditions of the Homestead Program
97 are met by the applicant. The pre-determined price shall be \$2,025.00 per lot.
98

99 (11) "Rent/Rental" means any unit constructed on Homestead property that will be occupied
100 by an individual or family who will have no ownership interest in the unit or property.
101 Occupants will be paying an established monthly payment to the owner(s) of the property.
102

103 (12) "Sale/Sales" means any unit constructed on Homestead property that will be occupied by
104 an individual or family who will purchase the completed unit and have ownership interest in the
105 property through the execution of a mortgage agreement or cash purchase of the property.
106
107
108

HOMESTEAD PROGRAM IMPLEMENTATION PLAN

The Tennessee Homestead Act was adopted by the Tennessee General Assembly (Public Chapter No. 281) on April 24, 1985, and is designed to provide Shelby county Government with an alternative means to acquire and dispose of surplus and tax lien properties for the purpose of residential development.

This package shall serve as the Implementation Plan as required by Section 5 of the Act. Policies, rules and regulations necessary to insure the daily operation of the Homestead Program, as implemented under this plan, shall be the responsibility of the Administration and those departments involved in the transfer of properties under the Homestead Program.

Through the Homestead Program, any person, corporation, partnership, government agency, or joint venture may make an application to acquire designated properties or may make donations of properties to the program. Applicants approved under the Homestead Program shall receive Title to the Homestead property requested for a nominal non-refundable application fee of \$100.00 and a refundable predetermined price that will be held in escrow until all conditions of the Homestead Program are met by the applicant.

Properties under the program will only be made available for residential development.

The \$100.00 application fee is a non-refundable fee.

The refundable predetermined price shall be paid via a non-revocable letter of credit, cash, or check made payable to Shelby County Government. This deposit will be placed in an escrow account.

Upon full compliance with the Homestead Program Policies and Procedures this predetermined price will be refunded to the applicant. In the event the applicant does not comply with the Homestead Agreement, this amount will be forfeited.

In the event that the applicant does not comply with the terms of the Homestead Act, Shelby County also reserves the right to rescind the transfer of the property to the Applicant at the same time the escrowed deposit is forfeited in the event that another public use of the property has been established before the time of forfeiture.

1) Administering Agency:

The Shelby County Department of Housing shall serve as the Administrator of the Shelby County Homestead Program. In the event that the Department of Housing should merge with another Shelby County Department or cease to exist, the Shelby County Mayor may designate another existing or newly created agency as the administrative agency.

2) Method of Selecting Properties:

Upon the request by an applicant, an eligible property will be officially placed in the Shelby County Homestead Program. At that time, an application shall be submitted by the applicant and the property processed for transfer as a Homestead Property by the Shelby County Department of Housing.

A) Existing Tax Sale Properties/Inventory

The Shelby County Department of Housing and the Shelby County Land Bank Office shall maintain a list of properties eligible for inclusion in the Shelby County Homestead Program at all times.

Eligible properties shall be designated by an "H" on the list of Shelby County properties and said list shall be available from both the Department of Housing and Shelby County Land Bank Office.

169 B) Newly Acquired Tax Sale Property

170
171 Upon completion of each Shelby County Tax Sale, all newly acquired properties shall be
172 reviewed by the Department of Housing and the Shelby County Land Bank Office to
173 determine which newly acquired properties meet zoning and size requirements for the
174 construction of single-family housing units.

175
176 At that time, all lots meeting zoning and size requirements will be designated on Shelby
177 County property lists by an "H" and the full list published in a local newspaper by the
178 Department of Housing announcing the availability of all new county owned properties.
179

180 **3) Criteria for Selecting Homesteaders for Multi-Family Housing Development**

181
182 Potential applicants shall provide a notarized statement that there are no outstanding
183 complaints against other properties held by the applicant. Other conditions herein also apply.
184

185 Potential applicants shall complete the attached Homestead Application forms and submit
186 them, along with the \$100.00 per property application fee, to the Department of Housing.
187

188 Department of Housing staff will be available to assist in filling out Homestead
189 applications as necessary. All Homestead applications will be considered on a first-come first-
190 served basis.
191

192 The Homestead Application will consist at a minimum of the following items:

- 193
194 A) Identification of the applicant.
195 B) Identification of the site.
196 C) Identification of financial resources to be used for site development.
197 D) Compliance with zoning.
198 E) General project description:
199 (1) Site plan
200 (2) Building plans
201 (3) Projected Rent Scale
202 (4) Energy Features
203 F) A completed and signed Shelby County Gratuity Disclosure Form.
204 G) A completed Land Sales Disclosure Form
205

206 The application will be reviewed for completeness by the Department of Housing and a
207 written response to the applicant will be made in a timely manner recommending approval or
208 disapproval.
209

210 If approved, the application shall be forwarded to the Homestead Design Review
211 Committee for final approval prior to a transfer of Title to the property as outlined in Section 5 of
212 the plan. Design(s) must be approved by a minimum of four of the seven Committee members.
213

- 214 (1) Design Review will apply to all private and for profit developments under
215 the Homestead Program. Non-profit organizations will not be required to
216 submit plans for Design Review by the Design Review Committee.
217

218 If not approved, the reasons for disapproval will be listed and the Department of Housing
219 will notify the applicant. Department staff will be available for a review of the rejected
220 application with the applicant.
221

222 Prior to final transfer of the Homestead property(ies), a Public Hearing will take place to
223 allow residents of the community surrounding the development the opportunity to comment on
224 the use of the Homestead property(ies).
225
226
227
228

229
230 **4) Criteria for Selecting Homesteaders for Single-family Development by a For-Profit**
231 **Developer.**
232

233 The criteria for selection of Homesteaders for Single-Family Development shall be
234 identical to that used for the selection of the Multi-Family Development. Other conditions stated
235 herein also apply.
236

237 The application itself will request information relevant to Single-Family Development,
238 including; but not limited to, information on sales price, façade design, square footage, floor
239 plans, colors, building materials, streetscape photographs of the surrounding existing units, and
240 energy designs. The single-family application is attached.
241

242 **5) Criteria Allowing for an Option To Purchase.**
243

244 Applicants seeking to utilize the Homestead Program in conjunction with larger scale
245 developments, such as single-family developments utilizing State Tax Credits, may request an
246 "Option to Purchase" under the Shelby County Homestead Program. When such a request is
247 made, the applicant shall comply with all Homestead Application policies and procedures and
248 the following shall apply:
249

- 250 A) The applicant shall submit the application fee of \$100 per lot on which the
251 "Option" is requested. This application fee is non-fundable.
252
253 B) The \$100 per lot application fee shall secure an option on the requested
254 homestead property(ies) for a period of 12 months.
255
256 C) Under the use of this "Option" criteria, a full Homestead Deposit based on the
257 predetermined price for each requested Homestead lot must be made within 60
258 days of the submission of the "Option" request or the requested lot(s) will be
259 released and placed back into the Homestead and/or Real Estate inventory.
260
261 D) Upon securing an "Option to Purchase" the applicant shall assume the
262 responsibility of maintaining, cutting and cleaning the lot during the 12 month
263 "Option" period.
264
265 E) An "Option to Purchase" may be extended for a period of 6 months at the request
266 of the applicant. Requests to extend the "option" shall be addressed to the
267 administering department in writing prior to the expiration of the 12 month period
268 and shall state the reason for the request and any supporting documentation to
269 support the request for a 6 month extension.
270
271 F) At no time shall an "Option to Purchase" exceed 18 months from the date of the
272 original application.
273
274 F) Upon expiration of the "Option" period, all properties will be either transferred to
275 applicant for development with all conditions herein applying to the transfer; or
276 the escrowed Homestead Deposit will be refunded to the applicant and the
277 "Optioned" properties will be returned to the Homestead and/or Real Estate
278 inventory.
279
280 G) At no time shall the application fee(s) be refunded on lots that have been reserved
281 for applicants under the "Option to Purchase" criteria.
282

283 **6) Conveyance of Property**
284

285 Upon submission and subsequent approval of the application, and upon meeting the
286 conditions as outlined in Sections 3 and 4 above, the County will transfer Title to the Homestead
287 property to the applicant by Quit-Claim Deed for the predetermined price. The predetermined
288 price shall be \$2,025.00 per lot.

289
290 A) Transfer to For-Profit Entities and Individuals.
291

292 There shall be an Escrow Account established at the time of transfer of
293 Title. The applicant shall present to the Department of Housing a non-revocable
294 letter of credit, cash, or certified check in the amount of the predetermined price
295 listed on the Quit Claim Deed as established by the Shelby County Department of
296 Housing and Shelby County Land Bank.
297

298 The Escrow Account shall be governed by contract between the applicant
299 and Shelby County and will specify the conditions to be met in order to receive a
300 refund of the Escrow Account. This contract shall provide for one extension of
301 time which may be requested by the applicant for just cause.
302

303 The purpose of the establishment of the Escrow Account shall be to
304 encourage the applicant to follow through on the approved development plan. If
305 the development is completed within 12 months of the final transfer of Title to the
306 applicant, the account will be refunded. In the event that the development is not
307 completed, the Escrow will be forfeited by the applicant. At no time will Shelby
308 County refund an Escrow Account once transfer of Title has been made to the
309 applicant.
310

- 311 (1) An extension of 6 months due to unforeseen circumstances may be
312 made by the applicant and may be approved by the department
313 administering the Homestead Program without loss of the
314 escrowed predetermined price. At no time shall the development
315 exceed 18 months from the transfer of Title to the applicant
316 without loss of the escrowed deposit.
317

318 In no event will the property be foreclosed by the County for failure to
319 complete the proposed development. However, the applicant will forfeit all funds
320 in Escrow. Regardless of completion or failure to complete the development plan,
321 the applicant will hold Title to the subject property and shall owe property taxes
322 from the date Title is transferred.
323

324 B) Transfer to Non-Profit Entities.
325

326 Upon submission and subsequent approval of the application, and upon
327 meeting the conditions as outlined in Sections 3 and 4 above, the Department of
328 Housing may convey Homestead Properties to an officially designated non-profit
329 entity through either a transfer of Title or a limited Reservation of Homestead
330 Property.
331

332 (1) Transfer of Title
333

334 Non-profit entities may accept transfer of Title for Homestead
335 properties under the same conditions as for-profit entities and
336 individuals when seeking to immediately commence development
337 of a property.
338

339 (2) Reservation of Homestead Property
340

341 The purpose of the "Reservation" of Homestead lots by a non-
342 profit entity is to allow the non-profit entity sufficient time to
343 secure property(ies) for development within the neighborhood or
344 community identified by the organization's charter, without
345 placing undue financial restriction on the non-profit.
346

347 The reservation of Homestead property by a non-profit entity is
348 based on the submission of a fully completed Homestead

349 application and the payment of \$100.00 Homestead Application
350 fee. The request for the reservation of property must be made at
351 the time of application and must provide an estimated time line for
352 development of the properties or properties; as well as a
353 development plan that includes identification of the funding source
354 that will be used for construction of single-family homes on the
355 Reserved lots.

356
357 Reserved lots shall be secured by a Memorandum of Agreement
358 (MOA) between Shelby County and the Non-profit applicant. The
359 MOA shall provide for the non-profit applicant to maintain the
360 reserved lot; including but not limited to, trash removal, grass
361 cutting and cleaning, tree trimming, and general lot maintenance
362 during the reservation period.

- 363
364 (a) Violation to comply with the MOA executed as a part of
365 the reservation process may result in the loss of the non-
366 profit's reservation of the Homestead parcel and the return
367 of the reserved property to the Homestead inventory.
368
369 (b) Reservations periods shall not exceed 12 months and prior
370 to the expiration of the MOA, the non-profit shall submit
371 an official request to transfer Title of the property to the
372 non-profit under Homestead guidelines and conditions.
373
374 (c) A Reservation may be extended for a period of 6 months at
375 the request of the applicant. Requests to extend the
376 reservation shall be addressed to the administering
377 department in writing prior to the expiration of the 12
378 month period and shall state the reason for the request and
379 any supporting documentation to support the request for a 6
380 month extension.
381
382 (d) At not time shall a Reservation exceed 18 months from the
383 date of the original application.
384

385 **7) Building Standards**

386
387 Any construction projects, either rehabilitation or new construction, shall be governed by
388 the 2003 Edition of the ICC Building Code as locally amended and inspected by the Memphis
389 and Shelby County Consolidated Codes Department.
390

391 At no time shall a building permit be issued by Shelby County Construction Code
392 Enforcement for development on a transferred Homestead property without notification that the
393 development has been approved by the Homestead Design Review Committee.
394

395 **8) Coordination Efforts**

396
397 The Department of Housing will provide assistance to applicants in determining potential
398 resources to meet development needs upon request by an applicant.
399

400 This assistance will consist of referrals to housing agencies that typically provide various
401 forms of housing assistance such as: Memphis Housing & Community Development (HCD),
402 Tennessee Valley Authority (TVA), Federal Housing Agency (FHA), Farmer's Home
403 Administration (FmHA), Veterans Services (VA) Offices, Tennessee Housing Development
404 Agency (THDA), and others.
405

406 **9) Technical and Financial Assistance**

As previously stated in Section 8, the Department of Housing will provide referrals to a variety of potential housing resources upon request.

Additional assistance to applicants, or purchasers of property developed under the Homestead Program may include referrals to Down Payment and Closing Cost Assistance and Homebuyer Counseling Programs available from either Shelby County, the City of Memphis the State of Tennessee, or local non-profit housing counseling agencies.

Applicants needing construction cost funding will be encouraged to contact local lenders for this information.

10) Methods to Acquire and Dispose of Property

The Department of Housing and/or the Land Bank Office may acquire properties for the Homestead Program through tax lien foreclosure, gift, or contract from other government agencies, or from private sources provided that all taxes are current on the privately donated property.

The administering agency will solicit properties from these agencies on an on-going basis as necessary. When properties are secured, the public shall be notified as in Section 2 above.

All property shall be disposed of in the manner prescribed in Section 3 and 4 above.

11) Other Conditions Deemed to Be in the Public Interest

The following conditions are those deemed to be in the Public Interest:

A) Emergency Situations

The Department of Housing may review proposals that it considers to be "Emergency" cases from time-to-time, and may recommend to the Administration an abbreviated method of property disposal.

In such cases the Department of Housing will consult with the Land Bank Office concerning the acquisition and/or disposal and will recommend to the Administration a proposed remedy to the emergency situation which shall then go before the Commission for final approval.

B) Property Leasing

The Homestead Program is designed for the sale and transfer of Title of County owned property. However, under a proposed project the lease of a property may be advantageous to housing development.

The lease of a developed property shall be allowed under the Homestead Program and shall follow the same application process as under a sale and transfer including the submission of an application, review by the Homestead Design Review Committee, and final approval by Administration and Commission.

In all instances, application for the development, sale, and transfer of ownership shall have priority over an application for lease.

C) Rents and Sales Prices: The following sales and rent restrictions apply to Homestead properties that are transferred to private or for profit developers. Rents and Sales prices as defined below do not apply to non-profit organizations utilizing the Homestead Program.

1) Rents

Applicants approved under the Shelby County Homestead Program shall agree that single family housing units constructed as rental property will not be rented for more than the Federal Fair Market Rents as established by the U.S. Department of Housing and Urban Development; and in the case of Section 8 rental property, the unit(s) shall comply with Section 8 policies as required by the State or Local agency issuing the Section 8 Voucher.

2) Sales

Applicants approved under the Shelby County Homestead Program shall agree that any newly built single-family housing units constructed for sale to a prospective homebuyer and shall be sold at the fair market value as determined by an appraisal.

The sale of any newly constructed unit shall comply with any and all mortgage requirements as established by the loan program or product used to effect the sale or transfer (e.g. FHA, VA, THDA, FannieMae, Conventional Loan, etc.).

D) Change in Policies and Program Rules

Policies necessary to implement the Program rules may be implemented by the Administering Agency and approved by the Administration so long as policies do not conflict with the Homestead Program Rules as outlined in Sections 1 through 11 of this summary.

Changes to the Homestead Program Rules may be amended by approval of the Administration and the County Commission.

SHELBY COUNTY HOMESTEAD PROGRAM

APPLICATION PACKAGE AND GUIDANCE

The Shelby County Homestead Program is designed to promote housing development on vacant lots owned by Shelby County Government. This program utilizes tax-foreclosed properties to stimulate neighborhood revitalization and increase the affordable housing stock in Shelby County. For a small application fee and a refundable deposit, agencies and individuals can obtain a vacant lot if they agree to build a home on the property within 12 months of the property being transferred to them for development. The home may be either for sale or rent. Upon completion of the terms of the Homestead Agreement, the applicant's original deposit is refunded.

The "Tennessee Homestead Act" was enacted in 1985 (T.C.A. Title 7, Chapter 66). The Shelby County Commission originally authorized implementation of the Homestead Program also in 1985. Upon recommendation by members of the County Commission, the non-refundable, \$100 application fee is required up-front rather than after the Homestead documents have been fully executed. (*SHELBY COUNTY EMPLOYEES MAY NOT APPLY*).

The potential applicant/developer completes the application forms and submits them to the Homestead Office in the Housing Department at 1075 Mullins Road, Memphis, TN 38134. Applications are considered on a first-come, first-served basis. The Homestead Coordinator is available to provide technical assistance in filling out applications.

HOMESTEAD PROGRAM DESIGN REVIEW

The Shelby County Department of Housing has implemented a "design review process" into the Shelby County Homestead Program. This process is established to insure that properties provided for housing development under the Homestead Program maintain the integrity of the neighborhood and blend in with existing housing units in the community.

Housing Department staff understands that development of affordable housing is governed by many factors, among them construction costs, area comparables for sale, the availability of financing, and size/position of the lot. Additionally, the Department realizes that inner-city housing designs can vary greatly block-by-block. Any of these factors can make or break an affordable housing project.

It is not the Department's intent to create hardships on those developers utilizing the Homestead Program. Therefore, while a suitable façade and maintenance of neighborhood integrity are paramount, the Department will allow for zoning and codes requirements to govern the general size and minimum housing standards. However, developers should be aware that on average, a unit should at a minimum be no less than 80% of the square footage of surrounding homes, and no smaller than 1,000 square feet. Additionally, the unit should have a minimum of 3 bedrooms and 2 baths. Final approval of all Homestead Designs will be subject to the approval of the Homestead Design Review Committee.

The following information should be provided to the Department of Housing along with the standard Shelby County Homestead Application, Application Fee and Zoning Letter.

1. A site plan indicating the positioning of the proposed unit on the homestead property.
2. A floor plan indicating the total square footage of the unit and the size of each room.
3. A facade rendering (or photo if the plan has been used in the past) indicating a view of the completed unit from the street and each side.
4. A description of exterior colors to be used on the unit.
5. A description of materials to be used on exterior (for example: brick veneer).
6. A photograph of the vacant lot, a streetscape, and the housing unit(s) immediately adjacent to the lot where the new unit will be built.
7. If the developer anticipates a problem during the review of his/her design, he/she should also submit a brief narrative of why construction of the unit should be allowed as submitted

utilizing property from the Shelby County Homestead Program. (No more than one single-spaced typewritten page).

The Department of Housing and Shelby County Land Bank Office insure that the Homestead Design Review Committee approves each proposed unit for approval prior to submitting a Homestead Resolution to the Shelby County Mayor and Board of Commissioners for approval. Should any questions arise concerning the design of the proposed unit, the developer will be asked to meet with members of the Department of Housing and Land Bank Office to discuss any concerns or resolve any issues.

OUTLINE OF THE APPLICATION PROCESS

1. Applicant fills out application for their project and submits all required documentation. An Application Fee of \$100.00 is required.
2. Necessary documents are submitted to the Design Review Committee.
3. Applicant is notified in writing of the Design Review Recommendation.
4. When all information has been received, the transfer Resolution is prepared for County Commission approval.
5. After Resolution approval, the Quit Claim Deed and Homestead Agreement is prepared and signed. The applicant must submit Homestead Deposit amount, which represents the back taxes, owed on the property and the recording fee.
6. Homestead staff registers the Deed and Agreement with the Shelby County Register of Deeds.
7. When all requirements on the Homestead Agreement have been met, a Release Deed is signed and recorded.
8. Upon completion of the project as evidenced by the Final Building Ticket and compliance with required covenants, the deposit is returned to the applicant.

HOMESTEAD PROGRAM APPLICATION

Applicant's Name: _____ Phone: _____

Address: _____ City, State, Zip: _____

Federal Tax ID#: _____

DESCRIPTION OF PROPERTY:

Tax Sale # _____ Exhibit # _____ Ward-Block-Parcel # _____

Address: _____ Deposit: _____ Lot Size: _____' x _____'

PROJECT PLAN: Description of structure to be built. (Single or Multi-Family, Etc.)

Type of structure? Brick, Siding, etc.: _____

Approximate square footage & number of Rooms:
_____ Sq. Ft. # of Rooms _____ # of Bedrooms _____ # of Baths _____

Will unit be Owner-Occupied () Rental () For Sale By Developer ()

Value of completed home: \$ _____ Anticipated monthly rent: \$ _____

Do you have preliminary plan? Yes () No () If not, please explain.

What is the estimated time frame for development? _____

Do you have financing arranged? Yes () No ().

Are you receiving funding from – Private, City or State, etc? Please list Lenders, Realtors, Contractors, etc., involved in the development of the property (attach additional sheets if necessary):

Additional Attachments

The following documents must be attached to your Homestead Application. Please use the check list to insure that nothing is omitted.

Document/Item	Attached	
Location Map	Yes ____	No ____
Zoning Letter	Yes ____	No ____
Environmental Letter	Yes ____	No ____
Blueprints (elevations, materials, colors, and façade)	Yes ____	No ____
Site Plan for proposed unit	Yes ____	No ____
Picture of completed unit (if available)	Yes ____	No ____
Picture(s) of each property adjoining the Homestead Parcel	Yes ____	No ____
Streetscape picture(s) of the surrounding units	Yes ____	No ____
Gratuity Disclosure Form	Yes ____	No ____
Land Sales Disclosure Form	Yes ____	No ____

APPLICATION CERTIFICATION:

I am aware that upon signing the Quit Claim Deed and Homestead Agreement, I must submit a fee equal to the amount necessary to record these documents, the Homestead Fee of \$100.00 and the Homestead Deposit for the property. If all the conditions stated in the Homestead Agreement are met and the building is completed, the deposit shall be refunded to me.

The information I have provided in this application is complete and accurate to the best of my knowledge.

I further authorize any person or entity to Release either Personal or Confidential Information to Shelby County Government, provided this release is limited to the purpose of verifying or checking any and all necessary information required by the either this application, or the Homestead Rules and Policies. This Release shall expire within thirty (30) days of the initial disposition of this Application, or immediately upon the termination of any option or reservation of property.

Signature of Applicant

Capacity: _____

Land Sales Disclosure

This form is for any person purchasing tax delinquent property from the Shelby County Land Bank or acquiring property through the Shelby County Homestead Program.

Name _____ Date _____

Address _____

Phone _____

Company Name _____

Company Address _____

Subject Property Address _____

Subject Property ID # _____

Are there any unresolved housing code violations against any properties in which you have control or interest? Yes _____ No _____

Violation Date _____ Violation Address _____

Violation Date _____ Violation Address _____

Are there any unresolved construction code violations against any properties in which you have control or interest? Yes _____ No _____

Violation Date _____ Violation Address _____

Violation Date _____ Violation Address _____

Please list any properties other than your residence or business location that you own, manage or control

Address _____

Address _____

Address _____

Address _____

Address _____

I certify that the above information I have provided is accurate and correct.

Signature

Date